

Andrew G. Patel
Attorney-at-Law
15 Chester Avenue
White Plains, New York 10601
Apatel@apatellaw.com

Telephone 212-349-0230

By ECF

March 7, 2025

Honorable Colleen McMahon
United States District Judge
United States Courthouse
500 Pearl Street
New York, NY 10007

Re: United States v. Polad Omarov
S8 22 Cr. 438 (CM)

Dear Judge McMahon:

After consulting with Mr. Omarov's attorney in the Czech Republic, we respectfully renew our motion to sever Counts Four and Five of the S8 superseding indictment as to Mr. Omarov (Doc. 101).

We have been advised the response that the Government received from the Czech Republic (Doc.122) is just a general comment without any assessment of the legal situation and the original content of the extradition files. The issue that must be decided is if the crimes that were added in the post-extradition indictment were sufficiently described in the original extradition request and if they were the subject of the decision of the Czech authorities. This is a question to be determined by the extradition Courts in the Czech Republic and only after final decisions of the extradition Courts does the Czech Minister of Justice make the final decision.

Our attorney has been advised that the Czech prosecutor is of the view that the Rule of Specialty prevents the Government of the United States from proceeding to trial on Counts Four and Five of the S8 superseding indictment and that the issue must be decided by the Czech authorities. Therefore, the Czech public prosecutor is making an application to the extradition Court in the Czech Republic for a ruling to determine if the extension of the extradition

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is permissible. The prosecutor has informed Mr. Omarov's attorney that she intends to submit the motion to the Court (Prague, Czech Republic) in about 10 days from now.

Given the approaching trial date, we would request either a severance of Counts Four and Five or an adjournment of the trial to a date convenient to Your Honor.

Respectfully submitted,

/s/ Andrew Patel
Andrew G. Patel
Elan Fast
Michael Perkins
Counsel for Polad Omarov

cc: All counsel of record by ECF